

VIRGINIA: AT THE REGULAR MEETING OF THE DINWIDDIE COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING IN DINWIDDIE COUNTY, VIRGINIA, ON THE 21<sup>ST</sup> DAY OF JANUARY, 2003, AT 2:00 P.M.

PRESENT: ROBERT L. BOWMAN IV - CHAIR ELECTION DISTRICT #3  
DONALD L. HARAWAY - VICE CHAIR ELECTION DISTRICT #2  
HARRISON A. MOODY ELECTION DISTRICT #1  
EDWARD A. BRACEY, JR., ELECTION DISTRICT #4  
AUBREY S. CLAY ELECTION DISTRICT #5

OTHER: BEN EMERSON COUNTY ATTORNEY

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**IN RE: CALL TO ORDER - INVOCATION - PLEDGE OF ALLEGIANCE**

Mr. Robert Bowman, IV, Chairman, called the regular meeting to order at 2:02 P.M. followed by the Lord's Prayer and the Pledge of Allegiance.

**IN RE: MINUTES**

Upon motion of Mr. Haraway, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that the minutes of the December 18, 2002 Regular Meeting and the January 2, 2003 Regular Meeting are hereby approved.

**IN RE: CLAIMS**

Upon motion of Mr. Moody, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims are approved and funds appropriated for same using checks numbered 1033843 through 1034033 (void check(s) numbered 1032980, 1033551 through 1033554 and 1033687) for:

**Accounts Payable FY 2002- 2003:**

(101) General Fund	\$ 164,806.34
(103) Jail Commission	\$ 7.50
(104) Marketing Fund	\$ .00
(209) Litter Control	\$ .00
(222) E911 Fund	\$ 14,757.80
(223) Self Insurance Fund	\$ .00
(225) Courthouse Maintenance	\$ .00
(226) Law Library	\$ .00
(228) Fire Programs & EMS	\$ .00
(229) Forfeited Asset Sharing	\$ .00
(304) CDBG Grant Fund	\$ .00
(305) Capital Projects Fund	\$ 4,085.80
(401) County Debt Service	\$ 716,581.36

**TOTAL \$1,165,742.64**

**IN RE: SCHOOL BOARD REQUISITION # 7 - 1998A (70-02-200-7019743)**

The County Administrator stated she received the following invoices from Dr. Leland Wise, Jr., Superintendent of Schools for Payment Requisition #7 - 1998A Bond Issue (70-02-200-7019743):



<u>Whitescarver, Hurd, and Obenchain BCWH</u>	Architect and Engineering Services Architect	Dinwiddie Elementary School  Facility Study – Phase II (Reimbursement of expenses)	\$805.00  \$1,736.25
<b><u>Total</u></b>			<b>\$2,541.25</b>

Mrs. Ralph stated these invoices have been reviewed and approved by the Superintendent.

Mr. Moody made the motion to approve the requisition, Mr. Clay seconded the motion.

Mr. Haraway stated he noticed that BCWH added 1.15% to their invoice for out of pocket expenses. It is unusual for a consultant to charge anything extra for these fees. He asked if it was a part of the contract. Dr. Morris replied he did not know but he would find out. Dr. Morris stated it would be ok to postpone paying the invoice for BCWH until he could research that issue. He requested that the other invoice to Whitescarver, Hurd, and Obenchain for \$805.00 be paid.

Mr. Moody and Mr. Clay agreed to amend the motion to postpone action on the invoice for BCWH.

Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye,"

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Requisition Number #7 -1998A (70-02-200-7019743) in the amount of \$805.00 was approved and funds appropriated for CIP expenses from the School Project Account. Action on the invoice for BCWH in the amount of \$1,736.25 was postponed.

**IN RE: CITIZEN COMMENTS**

Mr. Bowman asked if there were any citizens signed up to speak or present who wished to address the Board during this portion of the meeting.

The following citizen(s) came forward to address the Board:

1. Geri Barefoot, 7411 Frontage Road, Petersburg, Virginia – She asked the Board if they stand behind what they sign? On July 18, 2001, you as a Board, agreed to support the preservation of National Battlefields in Dinwiddie County. Also, the Board authorized the Chairman, Mr. Moody, to sign a letter regarding the intent of the County for the preservation of national battlefields. She stated she had a copy of a letter from the National Park Service, dated September 6, 2001, addressed to the County, which states the Petersburg National Battlefield is strongly opposed to a quarry being sighted on these lands. I also have a map, which is the same map they gave to you. I would like to know if you are going to stand behind your word. You also passed it in your Comprehensive Land Plan, you said, the Nationally significant Civil War Battlefields in the County should be recognized as a majority of cultural resources. You wrote you would support and protect these lands. Mrs. Barefoot stated she would like a letter to let her know if the County is going to protect these lands. She commented that the State has adopted legislation where they are going to authorize a bill to allow counties \$10 million dollars a year to protect endangered battlefields. Are we going to capitalize on this or are we going to let it go?

**IN RE: VDOT – REPORT**

Mr. Richard Caywood, Resident Engineer, Virginia Department of Transportation, came forward and stated he had no updates or report today.

1. The Signal Replacement on Route 1 and Route 226 is scheduled within the next 90 days, weather permitting.
2. Boydton Plank Road drainage structure update: This location is the maintenance responsibility of the City of Petersburg. Mr. Caywood reported he spoke with Mr. Ron Reekes of the Public Works Department and the pipe is part of a construction project that is scheduled to be advertised in the fall of 2004. The City received bids on an in-kind replacement of the pipe this past summer. Due to the budget/cost issues the City did not elect to award the contract. The City is continuing to monitor the situation and make repairs. He stated he would keep the Board updated as the situation evolves.
3. Hunnicut Road (Route 605): He reviewed the curves over the old RR tracks and discussed the situation with Mr. Bracey. VDOT plans to upgrade the shoulder with plant mix with a motor-grader when the weather is suitable. A more extensive re-working of the curves would require a project. He stated he would have the traffic Engineering Section review the area for any additional warning signs in addition to the ones that are presently in place.
4. The Pre-Allocation Hearings for the Primary, Urban, and Interstate programs are tentatively set for April 4 at 11:00 A.M. The location has not been determined at this time. He stated it is very important that the County have representation at these hearings.

Mr. Bracey asked if there was another road that the businesses were supposed to use for access to I-85 instead of using Boydton Plank Road? Mr. Caywood replied he did not know if there was another route. The County Administrator reported that in a meeting last week with representatives from Chaparral Steel they didn't know but would check to see if trucks were using another route as an access road.

Mr. Bowman stated he understood that the manager of the Holiday Inn Express had contacted VDOT regarding signage on I-85. Mr. Joseph Thomas the manager was told that they could not put a sign at Exit 61; it would have to be placed at Exit 63-A. If the sign is placed at 63-A you would have to backtrack to get to the hotel. Mr. Caywood responded that he did not know if anyone had contacted VDOT but he would contact Mr. Thomas.

**IN RE: COMMISSIONER OF THE REVENUE – REPORT**

Mrs. Deborah M. Marston, Commissioner of the Revenue, was not present.

**IN RE: TREASURER**

Mr. William E. Jones, Treasurer, came forward stating his report for December 2002 was in their packets.

**IN RE: TREASURER – APPROVAL TO OPEN ACCOUNT FOR REVENUE RECOVERY**

Mr. William E. Jones stated Diversified Ambulance Billing (DAB) of Virginia Beach would be handling the billing and payment process for Revenue Recovery. In order to facilitate the deposit of payments for Dinwiddie County, it

has been decided to open an account in the Virginia Beach area. Sun Trust Bank-Pembroke is currently used by DAB. He requested authorization to open an account in the County's name at Sun Trust Bank-Pembroke. DAB will make these deposits on the County's behalf. DAB will furnish the information to me for our posting and a monthly report for reconciliation.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Treasurer was authorized to open an account in the County's name at Sun Trust Bank-Pembroke for Diversified Ambulance Billing to deposit funds for Revenue Recovery.

**IN RE: COMMONWEALTH ATTORNEY – REPORT**

Mr. T. O. Rainey, III, Commonwealth Attorney, stated he had nothing to report but would answer any questions they might have.

Mr. Bracey asked Mr. Rainey if there was a person to contact in case someone was trying to scam you. Mr. Rainey stated he would find out and let him know.

**IN RE: BUILDING INSPECTOR – REPORT**

Mr. Dwayne H. Abernathy, Building Inspector came forward and presented his report for the month of December 2002 and his 2002 yearly value and occupancy report. The total yearly value for homes for 2002 was - \$35,449,889. The permit fees collected for 2002 was - \$162,246.17. The yearly value of the certificate of occupancies for 2002 was – \$19,775,998.

**IN RE: ANIMAL WARDEN – REPORT**

Mrs. Mary Ellison, Animal Control Officer, came forward and presented her report for the month of December 2002 and the yearly report for 2002.

DOGS		CATS		MISC.	
Picked up	763	Picked up	93	Picked up	23
Turned in	508	Turned in	508	Turned in	5
Returned	132	Returned	5		
Adopted	95	Adopted	55		
S.O.S.	129	S.O.S.	5		
<b>TOTAL</b>	<b>1,271</b>		<b>431</b>		<b>28</b>

Livestock Claims                    2  
 Bites                                    48

Total Cases worked            3,361

**REVENUE REPORT**

Adoption fees	\$1,225.00
Warden fees	\$2,390.00
Donations	\$ 315.53
Total	\$3,930.53

**IN RE: DIRECTOR OF PLANNING – REPORT**

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and stated Mr. William C. Scheid, Director of Planning, was ill and unable

to attend the meeting. However, if they had any questions regarding his monthly report he would contact Mr. Scheid for them.

The County Administrator informed the Board that the Planning Commission meeting is scheduled to be held at the Eastside Community Enhancement Center, February 12, 2003 at 7:30 P.M. During this meeting the Planning Staff plans to introduce the conditional use permit, C-02-8, for Tidewater Quarries Incorporated. At this meeting there will not be an actual comment period because Staff will be setting dates with the consultant that the County is hiring so that we can have work sessions for the month of February. At that time the Planning Commission, Board of Supervisors and the public can hear all of the consultants and the presentations. The actual public hearing for public comment has been set for March 12, 2003 for the conditional use permit for the quarry.

Mr. Bowman commented the next Board meeting is going to be at the Dinwiddie Elementary School. The County Administrator stated that is correct. The planning Commission meeting for the quarry rezoning had to be moved to the elementary school due to the number attending. The rezoning application for Tidewater Quarries Inc, is scheduled for the next Board meeting on February 4, 2003 at 7:30 P.M. Staff has advertised it to be held in the Auditorium at the Dinwiddie County Elementary School so you won't have be inconvenienced to move during the meeting. It was pointed out that two other public hearings were scheduled for that meeting also.

Mr. Moody requested that the Board be provided with a list of some of the possible items on the proffers for the rezoning application, P-02-4, for Nick Stamos prior to the public hearing so they would be abreast of the situation. Mr. Thompson stated he would.

**IN RE: ZONING ADMINISTRATOR/SENIOR PLANNER REPORT**

Mr. David S. Thompson, Zoning Administrator/Senior Planner came forward and presented his December 2002 monthly report and his yearly report for 2002.

2002 Year-End Building Permit Activity By District

District	Total	Percentage of New Homes
1	28	10.9%
2	69	26.7%
3	42	16.3%
4	60	23.3%
5	59	22.9%
<b>Total</b>	<b>259</b>	

**IN RE: CODE COMPLIANCE OFFICER**

Mr. Phillip Harris came forward and presented his December 2002 monthly update and his year-end report.

The County Administrator pointed out that inoperable vehicles is at the top of the list in the majority of the districts and a bill has been introduced to take away some of the County's powers in regulating that. She stated Staff would stay on top of that legislation.

**IN RE: SOCIAL SERVICES – REPORT**

Ms. Peggy McElveen, Director, Social Services Department, came forward and stated she had nothing to report.

**IN RE: REFINANCE OF SCHOOL EQUIPMENT LEASE --  
AGREEMENT WITH SUNTRUST BANK**

Dr. Roger Morris, Assistant Administrative Superintendent, stated at the urging of the County Administrator we have been investigating all outstanding debt service to see if we can take advantage of the cheaper loan rates. One that stood out in his mind was the lease agreement the School Board has for the purchase of energy equipment 7 or 8 year ago with Johnson Controls. Dinwiddie County School Board voted at its January 12, 2003 meeting to request the Board of Supervisors to approve the refinance of its equipment lease agreement with Suntrust Bank. Currently the School Board pays this agreement at a loan rate of 5.75%. This new agreement will reduce the loan rate to 2.65%, thus saving the school board approximately \$6,000.00 per year over the next three years, which is the remaining life of the loan.

Mr. Bracey questioned whether there had been any savings for the School Board with all of the costs involved? The County Administrator responded that this was a lease that the School Board did for energy management. The energy saved was supposed to equal or surpass the cost involved. She stated Davenport recommended that they look at refinancing this lease. There will be some legal fees involved because bond counsel has to review the document. Mr. Bracey asked if it worked out the way they hoped it would? Dr. Morris replied he didn't know but he would find out and let him know.

Upon Motion of Mr. Moody, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman voting "Aye", Mr. Bracey voting "Nay",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the School Board is authorized to refinance its equipment lease agreement with Suntrust Bank at a loan rate of 2.65%, pending Bond Counsel review.

**IN RE: SUPPLEMENTAL APPROPRIATION TO THE FY2003  
SCHOOL BUDGET**

Dr. Morris commented the Dinwiddie County School Board voted at its January 12, 2003 meeting to request that the Dinwiddie County Board of Supervisors provide an additional supplemental appropriation to the FY2003 school budget, due to the increase in enrollment. This money is state basic aid money and is due to the increased enrollment of students. Therefore, the total supplemental appropriation requested is \$110,535.00. None of this supplemental appropriation requires local funds.

Upon Motion of Mr. Moody, Seconded by Mr. Bracey, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Supplemental Appropriation to the FY2003 School budget in the amount of \$110,535.00 is hereby approved. No local funds are required.

**IN RE: RE-APPROPRIATION TO THE FY2003 SCHOOL BUDGET**

Dr. Morris stated the School Board is also requesting a re-appropriation from the FY2002 budget. Any school funds that have an ending balance are historically re-appropriated to the next fiscal year's budget. In FY2002, which ended June 30, 2002, the Dinwiddie County School Board had the following fund balances:

Head Start (203) = \$79,772.92  
School Fund (220) = \$40,168.99  
Cafeteria (240) = \$30,383.41  
Textbooks (270) = \$125,300.70  
School Capital (302) = \$26,423.87  
TOTAL FUNDS BALANCE = \$302,049.89

The Dinwiddie County School Board is therefore requesting that these amounts be reappropriated to the FY2003 budget in the funds originally designated. The school fund ending balance, if approved for re-appropriation, would be used to purchase vehicles for transportation of special education students, as required by law.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the re-appropriation from the FY2002 budget to the FY2003 school budget in the amount of \$302,049.89 listed above is hereby approved. The School Fund balance is to be used to purchase vehicles for transportation of special education students, as required by law.

**IN RE:                    PARKS AND RECREATION – REPORT**

Mr. Timothy C. Smith, Director of Parks and Recreation, came forward and presented his December 2002 update.

The County Administrator asked for a report on the brochure *The Battlefield Connection*, which was included in the Board packets. Mr. Smith stated for over 3 years, the Recreation Department, in conjunction with the Virginia Trails Association and the National Park Service's Rivers & Trails Program have been working off the American Battlefield grant and this brochure is the result of that process. The map included in the Brochure was also included in the Comprehensive Land Use Plan. Mr. Smith commented it should give us some leverage with developers in the future. The County Administrator asked if this would close out the grant. Mr. Smith stated he had a meeting tomorrow with the Virginia Trails Association and hopefully after one more meeting with the general public they should be able to close out the grant.

**IN RE:                    WASTE MANAGEMENT – REPORT**

Mr. Dennis King, Director of Waste Management came forward stating he provided his report for December 2002 in their packets. He also reported that his department is doing the annual survey of all the businesses that recycle in the County. It has to be reported to the State by March.

**IN RE:                    AUTHORIZATION FOR DIRECTOR OF WASTE  
MANAGEMENT TO ATTEND RE-CERTIFICATION CLASS  
AT JOHN TYLER COMMUNITY COLLEGE**

Mr. King stated his license to operate the landfill expires this year. A continuing education class for re-certification is being offered in March at John Tyler Community College, which will be a lot more convenient for me. There is essentially only one company that offers this class. He requested authorization to attend the re-certification class at a cost of \$500.

Upon Motion of Mr. Bracey, Seconded by Mr. Moody, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", authorization for the Director of Waste Management to attend the landfill re-certification class at John Tyler Community College at a cost of \$500 was approved.

**IN RE: PUBLIC SAFETY OFFICER – REPORT**

Mr. David M. Jolly, Public Safety Officer, came forward and presented his report for December 2002.

**IN RE: DIRECTOR OF PUBLIC SAFETY TRAVEL REQUEST**

Mr. Jolly requested authorization to attend the annual Mid-Atlantic Fire Chief Conference at Virginia Beach, Virginia, February 19 – 23, 2003, at a cost of \$615. He stated this conference is to meet the requirements to keep his certificates and certifications current.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Director of Public Safety to attend the annual Mid-Atlantic Fire Chief Conference at Virginia Beach, Virginia, February 19 – 23, 2003, at a cost of \$615.

**IN RE: AUTHORIZATION TO ENTER INTO CONTRACT WITH SINGER & ASSOCIATES - FIRST RESPONDER UNIT FOR FORD VFD**

Mr. Jolly stated we have negotiated the purchase of the replacement vehicle with Singer & Associates for Ford VFD. The original bid was \$136,130. After negotiations the contract amount would be \$131,100. He requested authorization to enter into a contract with Singer & Associates for the purchase of a replacement unit for the Ford VFD.

Upon Motion of Mr. Moody, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye",

BE IT RESOLVED that the Board of Supervisors of Dinwiddie County, Virginia, authorized the Director of Public Safety to enter into a contract with Singer & Associates, at an amount not to exceed \$131,100, for the purchase of the first responder unit for the Ford VFD.

**IN RE: COUNTY ATTORNEY – REPORT**

Mr. Ben Emerson, County Attorney, stated he had nothing to report.

**IN RE: BUILDINGS AND GROUNDS - REPORT**

Mr. Donald Faison, Buildings and Grounds Superintendent, came forward and stated he provided his monthly update for December 2002 in their packets.

**IN RE: APPOINTMENT – SOUTH CENTRAL WASTEWATER AUTHORITY & APPOMATTOX RIVER WATER AUTHORITY**

The County Administrator introduced Mr. Christopher J. Wyatt, Executive Director of the Dinwiddie County Water Authority to the Board. At the last meeting there were some Board members that wanted to meet Mr. Wyatt before appointing him to the SCWA and the Appomattox River Water Authority. He is present today to answer any questions you might have.

Upon Motion of Mr. Bracey, Seconded by Mr. Haraway, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that Mr. Christopher J. Wyatt is hereby appointed to serve on the

Appomattox River Water Authority to fill the unexpired term of Mr. Robert Harrison for a term ending November 30, 2004.

BE IT FURTHER RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia, that Mr. Christopher J. Wyatt is hereby appointed to serve as the alternate on the South Central Wastewater Authority to fill the unexpired term of Mr. Robert Harrison.

**IN RE: COUNTY ADMINISTRATOR COMMENTS**

The County Administrator informed the Board that Staff is working on three items that we could not have ready for this meeting:

1. Proposals for locating the manned sites in the County.
2. Selection of a firm to assist with the documentation necessary to institute "cash proffers".
3. Selection of a firm to update the County's master plan.

Staff is hoping to have these items ready for a recommendation to the Board at the February 4 or 18<sup>th</sup>, 2003 meeting.

**IN RE: AUTHORIZATION TO HOLD THE BOARD OF SUPERVISORS FEBRUARY 4, 2003 MEETING AT THE DINWIDDIE COUNTY ELEMENTARY SCHOOL**

The County Administrator stated as we discussed earlier, it is recommended that the meeting for the quarry rezoning be held at Dinwiddie Elementary rather than inconvenience the Board by having to move during the meeting. It is required by law to have action by the Board to move the meeting for February 4, 2003 to the Auditorium at the Dinwiddie County Elementary School.

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Bracey, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, voting "Aye", the Board will hold its February 4, 2003 in the Auditorium at the Dinwiddie County Elementary School.

**IN RE: COUNTY ADMINISTRATOR COMMENTS CONT'**

The County Administrator made the following comments:

1. Staff was asked to run an ad for the change in our meeting dates to Tuesdays; a sample was included in your packets.
2. In order to comply with the time frame required for our legal ads for public hearings, Staff will have to use the Progress-Index. Unfortunately, the Progress-Index is considerably more expensive. However, we are urging the citizens to check in the Progress for those ads. We will also run the legal ads in the Monitor one time for citizens who may not get the Progress-Index.
3. She asked the Board to check their calendars for some dates to meet in February for budget workshops as well as to continue the review of the proposed school recommendations. Unless you have some dates in mind at this time.

**IN RE: BOARD MEMBER COMMENTS**

Mr. Bracey He stated he was very upset about the letter from NWB USA, Inc. stating the company is announcing today it plans to relocate its wiper blade assembly operations to existing facilities in Japan and Malaysia. The closure will affect approximately 140 full-time employees. NWB is committed to helping their employees during this transaction. The

company anticipates operation at the Petersburg facility to conclude by March 22, 2003.

Mr. Moody He stated we have had our division heads for about six months and he would like to get a report on how well it is working. The County Administrator commented we only have two division heads at this time and she would be glad to let them know how it is going. Mr. Moody said the State is pressing for more technology. Reports and forms that were mailed to us in the past now have to be pulled from the web site and downloaded on the computer. He stated the reports could be e-mailed to the Board so the County can save money for paper and time.

Mr. Bowman He requested that Staff check into the grants for the preservation of Battlefields for the County.

**IN RE: CLOSED SESSION**

Mr. Clay stated I move to close this meeting in order to discuss matters exempt under section:

**Acquisition of Property - §2.2-3711 A. 3 of the Code of Virginia**

**Prospective Industry - §2.2-3711 A. 5 of the Code of Virginia**

**Consultation with Legal Counsel - §2.2-3711 A. 7 of the Code of Virginia – Contract Negotiation – Consultant Services; Tax Information; Conditional Use Permit**

Mr. Haraway seconded the motion. Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the Board moved into the Closed Meeting at 3:17 P.M.

A vote having been made and approved the meeting reconvened into Open Session at 4:41 P.M.

**IN RE: CERTIFICATION**

**Whereas**, this Board convened in a closed meeting under §2.2-3711 A. 3 - Acquisition of Property; §2.2-3711 A. 5 - Prospective Industry; §2.2-3711 A. 7 - Contract Negotiation – Consultant Services; Tax Information; Conditional Use Permit

**And whereas**, no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.

**Now be it certified**, that only those matters as were identified in the motion were heard, discussed or considered in the meeting.

Upon Motion of Mr. Clay, Seconded by Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Moody, Mr. Bowman, Mr. Bracey, voting "Aye", this Certification Resolution was adopted.

**IN RE: AUTHORIZATION TO NEGOTIATE CONTRACT WITH BURGESS & NIPLE**

Upon motion of Mr. Clay, seconded by Mr. Moody, Mr. Moody, Mr. Bowman, Mr. Clay, Mr. Haraway, Mr. Bracey voting "Aye", authorization is granted for Administration to negotiate a contract with Burgess and Niple for consultation services for the quarry application.

**IN RE: INFORMATION IN BOARD PACKET OR DISTRIBUTED**

1. Letter from Adelphia regarding update of services.
2. Article – *Education and human services: Putting the squeeze on municipalities.*

**IN RE: ADJOURNMENT**

Upon Motion of Mr. Bracey, Seconded by Mr. Clay, Mr. Moody, Mr. Clay, Mr. Haraway, Mr. Bowman, Mr. Bracey, voting "Aye", the meeting adjourned at 4:42 P.M.

  
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Robert Bowman, IV, Chairman

  
\_\_\_\_\_  
Wendy Weber Ralph  
County Administrator

/abr